

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HISTONE DEACETYLASE INHIBITORS, the specification of which:

☐ is attached hereto.

☒ was filed on March 27, 2001 as Application Serial No. 09/812,940 and was amended on \_\_\_\_\_.

☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Harold H. Fox, Reg. No. 41,498  
John F. Hayden, Reg. No. 37,640  
William D. Hare, Reg. No. 44,739  
Heather Morin, Reg. No. 37,336  
John W. Freeman, Reg. No. 29,066

Phyllis K. Kristal, Reg. No. 38,524  
Christine P. Bellon, Reg. No. 41,611  
John J. Gagel, Reg. No. 33,499  
Robert C. Nabinger, Reg. No. 33,431

Address all telephone calls to HAROLD H. FOX at telephone number (202) 783-5070.

Address all correspondence to HAROLD H. FOX at:

FISH & RICHARDSON P.C.  
601 Thirteenth Street, NW  
Washington, DC 20005

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: HSUAN-YIN LAN-HARGEST

Inventor's Signature: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Fallston, MD

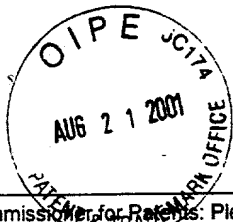
United States

2901 Sedgefield Court

Fallston, MD 21047

Date: May 20, 2001





08-24-2001

Substitute Form PTO-1595  
Attorney Docket No.: 12938-003001

RE



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EET

Commissioner for Patents: Please record the attached original document(s) or copy(ies).

## 1. Name of conveying party(ies):

Hsuan-Yin Lan-Hargest, Robert J. Kaufman and  
Norbert L. WiechAdditional name(s) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

CircaGen Pharmaceutical  
P.O. Box 99  
Phoenix, MD 21131

## 3. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other:

Execution Date: 08/08/2001

Additional names/addresses attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is:

A. Patent Application No(s):

09/812,940

B: Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name/address of party to whom correspondence concerning document should be mailed:

HAROLD H. FOX  
Fish & Richardson P.C.  
601 Thirteenth Street, NW  
Washington, DC 20005

## 6. Total number of applications/patents involved: 1

## 7. Total fee (37 CFR §3.41): \$40

- ☒ Enclosed  
☐ Authorized to charge Deposit Account.

## 8. Deposit Account No.: 06-1050

Please apply any additional charges, or any credits, to our  
Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and Signature: *To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Harold H. Fox  
Reg. No. 41,498

Name of Person Signing

  
Signature8-21-01  
Date

Total number of pages including coversheet, attachments and document: 5

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ASSIGNMENT

For valuable consideration, we, HSUAN-YIN LAN-HARGEST of Fallston, MD,  
ROBERT J. KAUFMAN of St. Louis, MO, and NORBERT L. WIECH of Phoenix, MD, hereby  
assign to:

CircaGen Pharmaceutical, a Delaware corporation and its successors and assigns (collectively  
hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the  
inventions and improvements which are subject of an application for United States Patent signed  
by us, entitled HISTONE DEACETYLASE INHIBITORS, filed March 27, 2001, and assigned  
U.S. Serial Number 09/812,940, and we authorize and request the attorneys appointed in said  
application to hereafter complete this assignment by inserting above the filing date and serial  
number of said application when known; this assignment including said application, any and all  
United States and foreign patents, utility models, and design registrations granted for any of said  
inventions or improvements, and the right to claim priority based on the filing date of said  
application under the International Convention for the Protection of Industrial Property, the  
Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like  
purposes; and we authorize the Assignee to apply in all countries in our name or in its own name  
for patents, utility models, design registrations and like rights of exclusion and for inventors'  
certificates for said inventions and improvements; and we agree for ourselves and our respective  
heirs, legal representatives and assigns, without further compensation to perform such lawful acts  
and to sign such further applications, assignments, Preliminary Statements and other lawful  
documents as the Assignee may reasonably request to effectuate fully this assignment.

10025947.1225001  
T0922T 4652001

IN WITNESS WHEREOF, I hereto set my hand and seal at Phoenix, MD,  
this 8<sup>th</sup> day of August, 2001  
[Signature] L.S.  
HSUAN-YIN LAN-HARGEST

State of Maryland :

: ss.

County of Washington:

Before me this 8<sup>th</sup> day of August, 2001, personally  
appeared HSUAN-YIN LAN-HARGEST known to me to be the person whose name is  
subscribed to the foregoing Assignment and acknowledged that he executed the same as his free  
act and deed for the purposes therein contained.

[Signature]  
Notary Public

My Commission Expires: 1/1/03

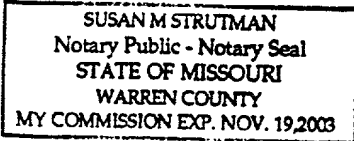
[Notary's Seal Here]

1002221 24652001

IN WITNESS WHEREOF, I hereto set my hand and seal at St. Louis MO,  
this 8 day of August, 20 01  
Robert J. Kauf L.S.  
ROBERT J. KAUFMAN

State of MO :  
: ss.  
County of St. Louis :

Before me this 8th day of August, 20 01, personally  
appeared ROBERT J. KAUFMAN known to me to be the person whose name is subscribed to  
the foregoing Assignment and acknowledged that he executed the same as his free act and deed  
for the purposes therein contained.



Susan M Strutman  
Notary Public

My Commission Expires: 11-19-2003

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Phoenix, MD.

this 8<sup>th</sup> day of August, 2001

Norbert L. Wiech L.S.  
NORBERT L. WIECH

State of Maryland :  
: ss.

County of Frederick :

Before me this 8<sup>th</sup> day of August, 2001, personally appeared NORBERT L. WIECH known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Linda Delich  
Notary Public

My Commission Expires: 1/1/03

[Notary's Seal Here]